

**FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 22, 2007**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Anderson, Clark, Ringo, Shirley.

Total -- 4.

Total -- 70.

Prayer was offered by Representative Collins.

The Pledge of Allegiance was led by Michelle Olsen, Page.

Approval of Journal

January 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

SMITH (24), Vice Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

January 19, 2007

Mr. Speaker:

I return herewith enrolled **HCR 6** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 6** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

January 19, 2007

Mr. Speaker:

I return herewith **HCR 7** which has passed the Senate.

WOOD, Secretary

HCR 7 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 29**, **H 30**, **H 31**, **H 32**, and **H 33**.

SMITH (24), Vice Chairman

H 30, **H 31**, **H 32**, and **H 33** were referred to the

Environment, Energy, and Technology Committee.

H 29 was filed for second reading.

January 22, 2007

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 22** and recommend that it do pass.

LAKE, Chairman

H 22 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

HOUSE BILL NO. 34

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ACUPUNCTURE; AMENDING SECTION 54-4703, IDAHO CODE, TO REVISE LICENSURE REQUIREMENTS; AMENDING SECTION 54-4707, IDAHO CODE, TO REVISE CERTIFICATION REQUIREMENTS; AND AMENDING SECTION 54-4711, IDAHO CODE, TO PROVIDE FOR DISCIPLINARY ACTION BASED UPON CONDUCT THAT VIOLATES THE CHAPTER OR RULES OF THE BOARD.

HOUSE BILL NO. 35

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO SIZE OF VEHICLES AND LOADS; AMENDING SECTION 49-115, IDAHO CODE, TO DEFINE "NATIONAL NETWORK"; AND AMENDING SECTION 49-1010, IDAHO CODE, TO ALLOW SADDLEMOUNT COMBINATIONS TO OPERATE AT AN OVERALL LENGTH OF NINETY-SEVEN FEET WHEN TRAVELING ON THE NATIONAL NETWORK.

HOUSE BILL NO. 36

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL WAIVE THE FEE REQUIRED FOR ISSUING A LETTER OF TEMPORARY VEHICLE CLEARANCE TO AN IDAHO-BASED MOTOR CARRIER IF THE MOTOR CARRIER OBTAINED AND PRINTED THE DOCUMENT USING INTERNET ACCESS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 37

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO REGISTRATION OF VEHICLES

WEIGHING OVER EIGHT THOUSAND POUNDS; AMENDING SECTION 49-431, IDAHO CODE, TO DELETE THE RESTRICTIONS ON REFUND OF REGISTRATION FEES DUE TO A CHANGE IN OWNERSHIP; AND AMENDING SECTION 49-437, IDAHO CODE, TO CLARIFY THAT A CHANGE IN REGISTRATION DUE TO AN INCREASE IN MAXIMUM GROSS REGISTERED WEIGHT DURING A REGISTRATION YEAR SHALL NOT RESULT IN A REFUND OF FEES ALREADY PAID AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 38

BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO REGISTRATION OF COMMERCIAL TRAILERS; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE A NONEXPIRING REGISTRATION FOR TRAILERS AND SEMITRAILERS AND TO CLARIFY OPTIONAL, EXTENDED REGISTRATION FOR RENTAL UTILITY TRAILERS; AND AMENDING SECTION 49-443, IDAHO CODE, TO CLARIFY THE PROVISIONS OF LAW APPLICABLE TO NONEXPIRING LICENSE PLATES ISSUED TO TRAILERS AND SEMITRAILERS.

HOUSE BILL NO. 39

BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2007; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 40

BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-802, IDAHO CODE, TO REQUIRE MAILED NOTICES OF ELECTIONS TO PROPERTY TAXPAYERS WHEN A TAXING DISTRICT IS HOLDING AN ELECTION TO INCREASE PROPERTY TAXES AND TO PROVIDE FOR THE CONTENTS OF THE NOTICES.

HOUSE BILL NO. 41

BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO LIMITATION OF PROPERTY TAXES; AMENDING CHAPTER 8, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-802B, IDAHO CODE, TO PROVIDE A MECHANISM FOR THE VOTERS OF CERTAIN TAXING DISTRICTS TO REDUCE THE PROPERTY TAX PORTION OF THE TAXING DISTRICT'S BUDGET FOR THE FOLLOWING FISCAL YEAR WITH EXCEPTIONS, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A RESTRICTION IMPOSED BY A STATUTE FOR INDIGENT ASSISTANCE, TO PROVIDE FOR A LIMIT ON AN INCREASE IN THE EVENT A TAXING DISTRICT'S PROPERTY TAX PORTION OF ITS BUDGET IS

ESTABLISHED PURSUANT TO A PROPERTY TAX REDUCTION ELECTION AND TO LIMIT FOREGONE INCREASES; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 34, H 35, H 36, H 37, H 38, H 39, H 40, and H 41 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 3** retain its place on the Third Reading Calendar until Monday, January 29, 2007. There being no objection, it was so ordered.

Mr. Lake asked unanimous consent that **H 10** and **H 11** be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

H 8 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ruchti to open debate.

The question being, "Shall **H 8** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 64.

NAYS -- Marriott, Mortimer. Total -- 2.

Absent and excused -- Anderson, Clark, Ringo, Shirley. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 8** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 9 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Killen to open debate.

The question being, "Shall **H 9** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon,

Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker.
Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 9** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 1 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 1** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker.
Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 1** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 2 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **HCR 2** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini,

Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker.

Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 2** adopted and ordered the resolution transmitted to the Senate.

HCR 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **HCR 3** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 3** adopted and ordered the resolution transmitted to the Senate.

HCR 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **HCR 4** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn,

Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker.
Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 4** adopted and ordered the resolution transmitted to the Senate.

HCR 5 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **HCR 5** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Clark, Ringo, Shirley.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 5** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Tuesday, January 23, 2007. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 23, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:05 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk